

With respect to Defendant Johnson, the R&R provides that his “actions of setting and then deferring Plaintiff’s bond were within that statutory authority, particularly in light of the wide discretion over release that Tennessee law grants to magistrates specifically in cases of domestic violence where the alleged victim’s safety is of concern.” (Docket No. 74 at 5). As for Defendant Riker, “probable cause to believe another threat had been made against the victim was enough to affect the determination of bail” and therefore “Plaintiff has no grounds for his claim

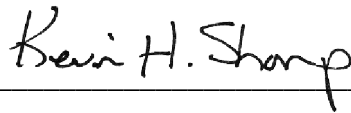
that Defendant Riker acted unconstitutionally in response to the allegation” irrespective of whether Plaintiff actually placed the alleged threatening call (Docket No. 74 at 6-7).

Having conducted a *de novo* review of the record in this case and the applicable law as required by Rule 72(b) of the Federal Rules of Civil Procedure, the Court accepts the R&R. Accordingly, the Court hereby rules as follows:

- (1) The R & R (Docket No. 74) is hereby ACCEPTED and APPROVED;
- (2) Defendants’ Motion for Summary Judgment is hereby GRANTED.

The Clerk of the Court shall enter Final Judgment in a separate document in accordance with Rule 58 of the Federal Rules of Civil Procedure.

It is SO ORDERED.

A handwritten signature in black ink, reading "Kevin H. Sharp", written over a horizontal line.

KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE